

Message Text

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INFO OCT-01 EUR-08 EA-06 NEA-06 IO-04 ISO-00 PM-03 NSC-05

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FM SECSTATE WASHDC

TO AMEMBASSY PORT LOUIS

AMEMBASSY LONDON

INFO AMEMBASSY BANGKOK

AMEMBASSY CANBERRA

AMEMBASSY COLOMBO

AMEMBASSY DAR ES SALAAM

AMEMBASSY JAKARTA

AMEMBASSY NAIROBI

AMEMBASSY NEW DELHI

AMEMBASSY TANANARIVE

AMEMBASSY TEHRAN

USMISSION USUN NEW YORK

CINCUSNAVEUR

CINCPAC

S E C R E T STATE 225259

E.O. 11652: GDS

TAGS: MARR, XO, MP, UK

SUBJECT: DIEGO GARCIA - MAURITIAN CONSIDERATIONS

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REF: (A) PORT LOUIS 818 (NOTAL)
(B) PORT LOUIS A-32 OF FEB. 16, 1971 (NOTAL)
(C) PORT LOUIS 793 (NOTAL), (D) PORT LOUIS 804 (NOTAL)
(E) USUN 3561 (NOTAL)

CINCUSNAVEUR, CINCPAC ALSO FOR POLADS

1. APPRECIATE EMBASSY PORT LOUIS' REPORT (REF A) ALERTING US THAT DIEGO LIKELY TO BE HOT ELECTION CAMPAIGN ISSUE, THAT THE GOM PROBABLY WILL BE INTENSIFYING ITS OPPOSITION TO OUR PLANS FOR DIEGO, AND THAT OUR LEGAL/POLITICAL ARRANGEMENTS FOR DIEGO MAY BE SUBJECT TO EROSION.

2. ACCORDING TO BRITISH EMBASSY WASHINGTON, THE GOM'S RESIDUAL RIGHTS IN THE CHAGOS ARCHIPELAGO WERE SET OUT IN THE AGREED RECORD OF THE LANCASTER HOUSE MEETING ON SEPTEMBER 23, 1965. IN THIS AGREED RECORD NO RESTRICTION WAS PLACED ON THE DEFENSE USE OF THE CHAGOS ARCHIPELAGO BY EITHER HMG OR THE USG. THERE WAS NO UNDERTAKING THAT DIEGO'S USE WOULD BE CONFINED TO COMMUNICATIONS PURPOSES. THE NOVEMBER 8, 1965, ORDER IN COUNCIL WHICH ESTABLISHED THE BIOT AND A NOVEMBER 10 STATEMENT IN COMMONS (PUBLISHED BY THE CHIEF SECRETARY'S OFFICE IN PORT LOUIS) MADE CLEAR THAT "IT IS INTENDED THAT THE ISLANDS WILL BE AVAILABLE FOR THE CONSTRUCTION OF DEFENCE FACILITIES BY THE BRITISH AND US GOVERNMENTS, BUT NO FIRM PLANS HAVE YET BEEN MADE." HMG DID AGREE "THAT IF THE NEED FOR THE FACILITIES ON THE ISLANDS DISAPPEARED THE ISLANDS SHOULD BE RETURNED TO MAURITIUS." ALSO, MAURITIUS WAS TO RETAIN THE BENEFIT OF ANY OIL OR OTHER MINERAL EXPLOITATION IN THE CHAGOS AS WELL AS THE RIGHT TO FISH. FOR A SIMILAR, MORE COMPLETE ACCOUNT OF THIS MEETING SEE REF (B). ACCORDING TO BRITISH EMBASSY, THE COLONIAL OFFICE MADE IT CLEAR IN A TELEGRAM TO THE GOVERNOR OF MAURITIUS DATED NOVEMBER 19, 1965, THAT A DECISION ABOUT THE NEED TO RETAIN THE ISLANDS MUST REST ENTIRELY WITH HMG AND THAT IT WOULD NOT BE OPEN TO THE GOM TO RAISE THE MATTER, OR PRESS FOR THE RETURN OF THE ISLANDS, ON ITS OWN INITIATIVE.

3. FROM A LEGAL STANDPOINT, THE CREATION OF THE BIOT WAS
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A UNILATERAL ACT BY HMG FULLY WITHIN THE SCOPE OF ITS POWERS. ALTHOUGH HMG DID MEET WITH A MAURITIAN DELEGATION BEFORE TRANSFERRING THE CHAGOS ARCHIPELAGO FROM THE COLONY OF MAURITIUS TO THE BIOT, IT WAS UNDER NO OBLIGATION TO DO SO SINCE MAURITIUS WAS THEN STILL A COLONY. FURTHER, HMG MADE IT CLEAR AT THE TIME THAT HMG RESERVED THE RIGHT TO RETAIN THE CHAGOS ARCHIPELAGO SO LONG AS IT DEEMED THE ISLANDS WERE NEEDED FOR DEFENSE PURPOSES

(SEE PARA 2). UNLESS THERE IS ANOTHER HMG/GOM AGREEMENT OF WHICH WE ARE NOT AWARE, OUR LEGAL RIGHT TO CONSTRUCT AND USE FACILITIES AT DIEGO GARCIA JOINTLY WITH THE BRITISH DEPENDS ONLY ON BRITISH AGREEMENT AND IS NOT OPEN TO NEGOTIATION WITH THE GOM. (IF ACTION ADDRESSEES ARE AWARE OF ANY HMG-GOM AGREEMENT OR EXCHANGE SETTING OUT THE GOM'S RIGHTS (EXCLUSIVE OF FISHING AND MINERAL ONES) IN THE CHAGOS ARCHIPELAGO, OTHER THAN THE LANCASTER HOUSE MEETING, PLEASE ADVISE ASAP.) THE HMG-GOM MUTUAL DEFENSE AND ASSISTANCE AGREEMENT OF MARCH 12, 1968, DOES NOT MENTION THE CHAGOS ARCHIPELAGO AND THE GOM NEITHER GAVE NOR RECEIVED RIGHTS IN THE CHAGOS ARCHIPELAGO WHEN IT SIGNED THIS AGREEMENT. THUS WE BELIEVE THE POTENTIAL THREAT TO OUR POSITION ON DIEGO GARCIA FROM THE GOM IS MORE POLITICAL THAN LEGAL IN NATURE.

4. AS SET OUT BY EMBASSY PORT LOUIS, THE PRINCIPAL AVENUES THROUGH WHICH THE GOM CAN APPLY PRESSURE ON US APPEAR TO BE THE FOLLOWING: (A) THE BRITISH. RAMGOOLAM RECENTLY FORCEFULLY ASKED HMG TO OPPOSE OUR PLANNED EXPANSION OF OUR FACILITIES ON DIEGO, BUT APPARENTLY THE BRITISH REPLIED THAT THEIR POSITION REMAINED UN-CHANGED. (B) BY THREATS TO PROVIDE A NAVAL FACILITY TO THE SOVIETS IF WE GO AHEAD WITH DIEGO EXPANSION. RAMGOOLAM DID MAKE SUCH A THREAT LAST MARCH, BUT HAS NOT REPEATED IT. HE MAY THREATEN AGAIN, BUT WE AND BRITISH TEND TO DISCOUNT LIKELIHOOD THAT HE WOULD FOLLOW THROUGH ON SUCH A THREAT. (C) PUBLIC DENUNCIATION OF OUR DIEGO PLANS. COMPARED TO SEVERAL OTHER INDIAN OCEAN LITTORAL STATES, THE GOM'S DISAPPROVAL OF OUR EXPANSION PLANS HAS BEEN RELATIVELY MILD. RAMGOOLAM PROBABLY WILL DENOUNCE OUR DIEGO POLICY MORE STRONGLY IN FUTURE PUBLIC STATEMENTS ON THE SUBJECT. MAURITIAN UNGA SPEECH, IN SECRET

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FACT, SAID DIEGO EXPANSION WOULD BE "FLAGRANT VIOLATION" OF IOPZ RESOLUTIONS AND MADE DIRECT APPEAL TO US TO RECONSIDER ITS INDIAN OCEAN POLICY. (D) SUPPORTING/HOST-ING A CONFERENCE ON THE INDIAN OCEAN. (SUCH A CONFERENCE, UNDER CONSIDERATION IN THE UN INDIAN OCEAN AD HOC COMMITTEE, WOULD PROVIDE A FOCAL POINT FOR REGIONAL OPPOSITION TO OUR DIEGO PLANS.

5. WE ARE MOST INTERESTED IN ANY GOM MOVES ON DIEGO AND WOULD APPRECIATE EMBASSY PORT LOUIS' CONTINUING ITS THOROUGH REPORTING.

6. FOR PORT LOUIS AND LONDON: WOULD APPRECIATE YOUR COMMENTS ON ABOVE.

7. FOR LONDON: PLEASE FORWARD COPY OF AGREED RECORD
OF SEPTEMBER 23, 1965, LANCASTER HOUSE MEETING, OR AT
LEAST A WRITTEN SUMMARY THEREOF IF AVAILABLE. (SEE
LONDON 730 OF JANUARY 19-1.) INGERSOLL

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